

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
NO. 5:18-CR-452-1-FL

UNITED STATES OF AMERICA,)
)
)
)
) UNITED STATES' MOTION TO
v.) COMPEL RESPONSE
)
LEONID ISAAKOVICH TEYF,)
Defendant.)

The United States of America, by and through its attorney, the United States Attorney for the Eastern District of North Carolina, respectfully moves for an order to compel compliance with a grand jury subpoena dated February 22, 2019.

A duly empaneled grand jury in the Eastern District of North Carolina issued a subpoenas duces tecum to Defendant for records required by Title 31, United States Code, Section 5314 and associated regulations. See D.E. 175-1.

The defendant filed a motion to quash the subpoena. D.E. 175. The government filed a response, D.E. 181, and the matter was referred to United States Magistrate Judge Numbers for consideration. On April 10, 2019, the motion to quash was denied. D.E. 212.

To date, the defendant has not complied with the outstanding subpoena. In an attempt to resolve this matter without court intervention, contact was made with counsel for defendant. Undersigned counsel is informed the defendant continues to assert a fifth amendment right against disclosure of the records, despite the magistrate ruling to the contrary, and in contravention to controlling Fourth Circuit law. Moreover, undersigned counsel is informed defendant intends to appeal any ruling to the contrary.

Given his stated intention to continue to assert a fifth amendment privilege and to appeal any ruling to the contrary, the government requests the Court consider, following response by defendant to this motion, issue an order compelling defendant to produce the required records within only 7 days of the Order, such that the necessary procedural steps can be taken in due haste to move it forward.

III. CONCLUSION

For all the above-stated reasons, the defendant should be compelled to respond to the grand jury subpoena issued him on February 22, 2019.

Respectfully submitted this 7th day of May, 2019.

ROBERT J. HIGDON, JR.
United States Attorney

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CERTIFICATE OF SERVICE

This is to certify that I have this 7th day of May, 2019, served a copy of the foregoing filing upon counsel for the defendant in this action by electronically filing the foregoing with the Clerk of Court, using the CM/ECF system that will send notification of such filing to:

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